

**Notice of Allowability**

Application No.

09/374,577

Examiner

Jack M. Choules

Applicant(s)

NABORS ET AL.

Art Unit

2167

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 23 November 2005.
2. ☒ The allowed claim(s) is/are 48-57, 69 and 70.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>12/12/2005</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other ____.   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul A. Mendonsa on 15 February 2006.

The application title, abstract, and page 3 of the specification have been amended as follows:

The title has been amended to read as follows:

-- A HIERARCHICAL DATA STRUCTURE FOR VEHICLE IDENTIFICATION  
AND CONFIGURATION DATA INCLUDING PROTECTED CUSTOMER DATA --

The Abstract has been amended with the new abstract in full on the following separate page.

ABSTRACT OF THE DISCLOSURE:

--A description language providing a hierarchical data structure that includes a public portion, hierarchically storing product information including identification of the product and standard and optional features desired for the product. The data structure further includes a private portion for secure storage of customer information. The discloser includes a system comprising a server with a product database, an intermediary subsystem, and a seller subsystem. A product is configured which stores the configured product and features in the data structure. A request for quote (RFQ) is transmitted, with the data structure, to sellers in the customer's geographic area, based on a comparison of product features with sellers stock. Quotes are returned from the sellers in response to which the customer sends an acceptance of a quote to the appropriate seller. While the invention is applicable to any product available in multiple configurations, specific embodiments are directed to vehicle implementations. --

Page 3 of the specification has been replaced in its entirety by the following:

it. Walker, although it provides for guaranteeing payment by the customer, does not guarantee that the sellers will be credible and able to deliver. Walker does not provide means for checking whether a complex product the customer wants is feasible, that is, whether it exists or can be manufactured. Finally, Walker provides a system where the customer must send a binding purchase offer that can be accepted by any seller, thereby binding the customer to a contract. This opens up the possibility that an unscrupulous seller could accept the offer. There is thus a need in the art for an apparatus and method that solves the above problems.

#### SUMMARY OF THE INVENTION

The present invention provides a vehicle description language (VDL) being designed to implement a hierarchical data structure stored in and transmitted between computers connected to a digital communication network such as the Internet. The networked computers are linked through an intermediary subsystem and communicate information associated with a vehicle, for example a request for quote (RFQ) seeking a quote on a specific vehicle. The hierarchical data structure with vehicle information is communicated between network computers in support of applications for facilitating customer-driven sales. The hierarchical data structure is made up of blocks and sub blocks each containing further sub-blocks or organized data items and having delimiters to identify the beginning and end of each block or sub block. The hierarchical data structure includes a public data block and a private data block. The public data block is made up of a vehicle sub-block with data items such as manufacturer, model, a model year and style of the vehicle, a vehicle detail sub-block has further sub-blocks including a standard feature sub-block with standard feature categories containing data items relating to the standard equipment available on the vehicle and an optional feature sub block with optional feature categories containing data items relating to a particular category of optional equipment desired on a particular vehicle. The private data block is made up of a plurality of data items relating to the customer who is ordering the vehicle and other data items such as ranking of product attributes. One of the computers connected to the network receives the hierarchical data structure implemented with the VDL and uses data including the data in the vehicle detail sub-block to select some sellers from a predetermined group of vehicle sellers by comparing features of the vehicle in RFQ with the features in vehicles of the sellers in the predetermined group.

The hierarchical data structure is disclosed as used with an apparatus and process for facilitating customer-driven sales of products having multiple configurations. The apparatus of the present invention comprises a computer network apparatus to facilitate the purchase of a product having multiple configurations, the product being sold by manufacturer-licensed sellers and each product configuration being described by a set of product attributes. The computer network apparatus comprises a server, an intermediary subsystem, and a seller subsystem.

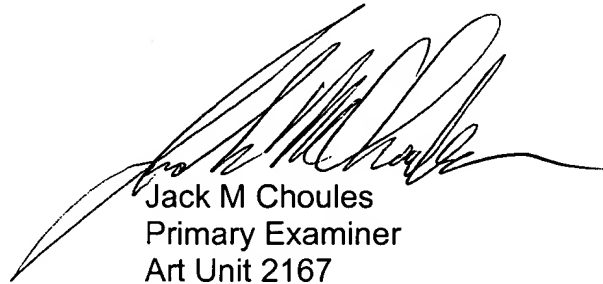
1. The following is an examiner's statement of reasons for allowance: The examiner found applicants arguments filed 23 November 2006 to be persuasive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack M. Choules whose telephone number is (571) 272-4109. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R. Homere can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jack M Choules  
Primary Examiner  
Art Unit 2167

15 February 2006